

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA

NOTICE

CONSENT TO TRIAL BY MAGISTRATE JUDGE

Pursuant to Federal Rule of Civil Procedure 73 and 28 U.S.C. § 636(c) you may request to have your case conducted before a United States Magistrate Judge upon consent of all parties and approval by a United States District Judge. In order to proceed before a Magistrate Judge, a consent form must be filed with the Clerk's Office. It may be filed jointly or separately. The consent form may be printed from the U.S. District Court website (listed below) or obtained from the Clerk's Office. Please refer to the previously mentioned rule for further information.

FINANCIAL INTEREST DISCLOSURE STATEMENT

Pursuant to Local Rule 7.1, a financial disclosure statement must be filed by a "nongovernmental corporation, partnership, trust, [or] other similar entity that is a party to, or that appears in, an action or proceeding in this Court." This statement should be filed in duplicate with the party's "first appearance, pleading, petition, motion, response, or other request addressed to the Court". The financial interest disclosure statement may be printed from the U.S. District Court website (listed below) or obtained from the Clerk's Office. Please refer to the previously mentioned rule for further information. Failure to file the financial interest disclosure statement as required by Local Rule 7.1 will result in this first submission being filed subject to defect by the Clerk.

WEBSITE AND CLERK'S OFFICES ADDRESSES

The website address for the U.S. District Court for the Eastern District of Virginia is www.vaed.uscourts.gov. If you do not have access to a computer, contact one of the Clerk's Offices listed below to obtain either of these forms:

Albert V. Bryan United States Courthouse
401 Courthouse Square
Alexandria, VA 22314
(703) 299-2101

Walter E. Hoffman United States Courthouse
600 Granby Street
Norfolk, VA 23510
(757) 222-7201

Spottswood W. Robinson III and
Robert R. Merhige, Jr., Federal Courthouse
701 East Broad Street
Richmond, VA 23219
(804) 916-2220

United States Courthouse
2400 West Avenue
Newport News, VA 23607
(757) 247-0784

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
NORFOLK AND NEWPORT NEWS DIVISIONS



In re: Motions in Civil Actions :
: :
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ORDER

A party filing a motion, response or other pleading requiring a ruling, hearing or determination by the Court shall, as soon as the same is ready thereof, have the obligation and duty to bring it to the attention of the Honorable Raymond A. Jackson, through the Civil Docket Section of the Clerk's office, for decision or, if a hearing is desired, to arrange for a convenient and timely hearing date with all parties and the Courtroom Deputy for Judge Jackson, namely Mrs. Glen Whitfield at 757/222-7241 or, in her absence for an emergency only to Ms. Sharon Cason, Judicial Administrator and Assistant to Judge Jackson, at 757/222-7003.

All parties shall comply with the provisions of Rule 7(E)(1) and (2), Local Rules of Practice, which reads as follows:

(E) Briefs Required:

- (1) All motions, unless otherwise directed by the Court and except as noted hereinbelow in subsection 7(E)(2), shall be accompanied by a written brief setting forth a concise statement of the facts and supporting reasons, along with a citation of the authorities upon which the movant relies. Unless otherwise directed by the Court, the opposing party shall file a responsive brief and such supporting documents as are appropriate, within eleven (11) days after service and the moving party may file a rebuttal brief within three (3) days after the service of the opposing party's reply brief. No further briefs or written communications may be filed without first obtaining leave of Court.
- (2) Briefs need not accompany motions: (a) for a more definite statement; (b) for an extension of time to respond to pleadings, unless the time has already expired; and (c) for a default judgement.

The Clerk shall provide a copy of this order to each plaintiff or counsel at the time a complaint is filed, and shall attach copies to the complaint for service upon all defendants.

IT IS SO ORDERED.

/s/

Raymond A. Jackson
United States District Judge

Date: May 3, 2007

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
OFFICE OF THE CLERK

Fernando Galindo
Clerk of Court

Walter E. Hoffman U.S. Courthouse
600 Granby Street, Room 193B
Norfolk, Virginia 23510

Telephone
(757) 222-7201
FAX 222-7259

TO ALL COUNSEL:

PROCEDURE FOR CIVIL MOTIONS (LOCAL RULE 7)

Please note that a memorandum of law shall accompany all motions (unless excepted by the rule). For briefs, counsel shall comply with page limits and font size established by the local rules or as otherwise indicated by the Court. After all briefs are in, it is incumbent upon counsel for the moving party to confer with opposing counsel and advise this office by letter when a ruling or determination by submission is desired. See Local Rule 26 for discovery motion procedures.

Requests for ruling or determination without oral argument are to be addressed to the Civil Docket Section, Clerk's Office, U.S. District Court, Room 193-B, 600 Granby Street, Norfolk, VA 23510.

Requests for oral argument should be communicated promptly by counsel to Mrs. Glen Whitfield, Courtroom Deputy for Judge Jackson, 757/222-7241 or, in her absence for an emergency only to Ms. Sharon Cason, Judicial Administrator and Assistant to Judge Jackson, 757/222-7003.

The motions described on the reverse of this notice are automatically referred to a judge for decision by the Civil Docket Section promptly after receipt of the rebuttal brief (absent a request for hearing).

ALL COURT PAPERS are to be filed only with the Civil Docket Section of the U.S. District Court (Room 193-B).

FERNANDO GALINDO, CLERK

MOTIONS TO BE DETERMINED
WITHOUT ORAL ARGUMENT

I. GENERAL

- A. The motions listed in II below are automatically referred by the case manager to a judge for decision.
- B. Other motions are referred for decision when:
 - 1. Directed by the initial pretrial or Rule 16(b) conference order.
 - 2. Directed by correspondence/orally by court/calendar clerk.
 - 3. Requested by counsel.

II. THE FOLLOWING MOTIONS ARE REFERRED FOR DECISION BEFORE INITIAL PRETRIAL CONFERENCE:

- A. **WITHOUT EXCEPTION** - whether answer filed or not - UNLESS deadline for initial pretrial conference (Rule 16, FRCP) is approaching:
 - 1. For change of venue to another court or divisional office of this court.
 - 2. To stay and/or for arbitration.
 - 3. To remand to state court.
 - 4. To join necessary party(ies). Rule 19, FRCP.
- B. **WITH EXCEPTION** - unless an answer is also filed by every defendant and/or unless the deadline for initial pretrial conference is approaching:
 - 1. Rule 12 motions to dismiss for:
 - a. Insufficiency of process of service (motion to quash).
 - b. For failure to state a claim upon which relief may be granted.
 - c. More definite statement.
 - d. Lack of jurisdiction.